



February 5, 2003

SENATE BILL No. 49

DIGEST OF SB 49 (Updated February 4, 2003 2:53 pm - DI jhm)

Citations Affected: IC 31-17.

Synopsis: Grandparent's visitation. Creates a rebuttable presumption that a grandparent may not have visitation with a grandchild if the grandparent has not had or has not attempted to have meaningful contact with the grandchild.

Effective: July 1, 2003.

Drozda

January 7, 2003, read first time and referred to Committee on Rules and Legislative Procedure.
February 4, 2003, amended; reassigned to Committee on Judiciary.

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SB 49—LS 6102/DI 13+



February 5, 2003

First Regular Session 113th General Assembly (2003)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2002 Regular or Special Session of the General Assembly.

SENATE BILL No. 49

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 31-17-5-2 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 2. (a) The court may
3 grant visitation rights if the court determines that visitation rights are
4 in the best interests of the child.
5 (b) In determining the best interests of the child under this section,
6 the court ~~may~~ **shall** consider whether a grandparent has had or has
7 attempted to have meaningful contact with the child. **If the court finds**
8 **that a grandparent has not had or has not attempted to have**
9 **meaningful contact with the child, a rebuttable presumption is**
10 **created that the grandparent is not entitled to visitation under this**
11 **chapter.**

SB 49—LS 6102/DI 13+



SENATE MOTION

Mr. President: I move that Senator Garton be removed as author of Senate Bill 49 and that Senator Drozda be substituted therefor.

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COMMITTEE REPORT

Mr. President: The Senate Committee on Rules and Legislative Procedure, to which was referred Senate Bill No. 49, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Delete the title and insert the following:

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

Delete everything after the enacting clause and insert the following:

(SEE TEXT OF BILL)

and when so amended that said bill be reassigned to the Senate Committee on Judiciary.

(Reference is to SB 49 as introduced.)

GARTON, Chairperson

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